



**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

IN THE MATTER OF:)	
)	
LINDA MANGANO,)	
)	
Complainant,)	
)	Charge No.: 1998CF0827
and)	EEOC No.: 21B980015
)	ALS No.: 10638
COOK COUNTY SHERIFF'S OFFICE,)	
)	
)	
Respondent.)	

RECOMMENDED ORDER AND DECISION

On October 26, 1998, the Illinois Department of Human Rights filed a complaint on behalf of Complainant, Linda Mangano. That complaint alleged that Respondent, Cook County Sheriff's Office, discriminated against Complainant on the basis of her sex by subjecting her to unequal terms and conditions of employment and by sexually harassing her.

This matter now comes on to be heard on my own motion, *sua sponte*, to dismiss the case for want of prosecution. For two consecutive scheduled status hearings, neither party has appeared.

FINDINGS OF FACT

The following facts were derived from the record file in this matter.

1. This matter has been stayed since May 8, 2000.

2. Although they had received proper notice of the date, neither party appeared on March 4, 2003, to provide the status of the parties' pending federal litigation.

3. On March 4, 2003, Administrative Law Judge Sabrina M. Patch entered an order which set a new status date of April 17, 2003. That order was served by mail on both parties. The order specifically stated that failure to appear "may result in dismissal of this matter with prejudice."

4. Despite Judge Patch's order, neither party appeared for the scheduled status hearing on April 17, 2003. Neither party filed any motion to continue that date.

CONCLUSIONS OF LAW

1. The parties' failure to appear for scheduled status hearings has unreasonably delayed the proceedings in this matter.

2. In light of Complainant's apparent abandonment of her claim, it is appropriate to dismiss this matter with prejudice.

DISCUSSION

This matter has been stayed while the parties litigate related claims in federal court. During the stay, the parties were to keep the Human Rights Commission informed of the status of that federal litigation. Despite that obligation, Complainant has failed to keep the Human Rights Commission apprised of the status of the federal case.

In the order entered on March 4, 2003, Complainant was specifically warned that failure to appear at the next date might

lead to dismissal of this matter with prejudice. Despite that warning, Complainant failed to appear on April 17, 2003.

For reasons unknown, it appears that Complainant has simply abandoned her claim in this forum. As a result, it is appropriate to dismiss the claim with prejudice. See **Leonard and Solid Matter, Inc.**, ___ Ill. HRC Rep. ___, 91989CN3091, August 25, 1992).

RECOMMENDATION

Based upon the foregoing, Complainant's inaction has unreasonably delayed the proceedings in this matter. It appears that she has abandoned her claim. Accordingly, it is recommended that the complaint in this matter be dismissed in its entirety, with prejudice.

HUMAN RIGHTS COMMISSION

BY: _____
MICHAEL J. EVANS
ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION

ENTERED: April 29, 2003